WA 370/2002

BEFORE

HON’BLE MR. JUSTICE B.K. SHARMA

None appears for the petitioner on call. I have heard Mr. A. Deka, learned Standing Counsel, Education Department.

By means of this writ petition, the petitioner has prayed for a direction to the respondents to regularize his service as Assistant Teacher of Borangabari (Provincialised) M.E. School, Darrang, Mangaldoi. Further prayer made in the writ petition is to direct the respondents to release the salary in his favour w.e.f. 04.12.1999.

According to the petitioner, he was appointed vide Annexure-III order dated 04.11.1999. In the counter affidavit filed by the respondents, it has been stated that the petitioner along with others was appointed illegally and all such appointments of 04.12.1999 was without any selection and approval of the Sub Divisional Level Advisory Boards, Mangaldoi. It has also been categorically stated that the petitioner’s appointment also falls under the said category. It has been stated that the Government in the Education Department by its order dated 22.01.2004 had cancelled all such appointments of Darrang District. As submitted by Mr. A. Deka, learned Standing Counsel, Education, the said course of action was adopted after conducting the required enquiry.

The aforesaid stands of the respondents in their counter affidavit filed on 23.12.2009 have not been denied even after expiry of about four years.

In view of the above, no relief can be granted to the petitioner and accordingly the writ petition stands dismissed.